

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF NORTH CAROLINA
STATESVILLE DIVISION
CRIMINAL ACTION NO. 5:06-CR-00035-KDB-DCK-14**

UNITED STATES OF AMERICA,

Plaintiff,

v.

JACKIE CLARK,

Defendant.

ORDER

THIS MATTER comes before the Court on Defendant's *pro se* motion for compassionate release based on COVID-19 pandemic under 18 U.S.C. § 3582(c)(1)(A) and the First Step Act of 2018. (Doc. No. 599).

Defendant filed his motion for compassionate release on August 6, 2020, arguing that he is at a greater risk of death from COVID-19 complications due to his underlying health conditions. Within the motion, Defendant states that he is unable to obtain his medical records to file in support of his motion for compassionate release. Defendant claims that he has requested his medical records from FCI Elkton twice but has received no response. Accordingly, he asks the Court to enter an order directing the BOP to release his medical records.

In order to fully consider the merits of Defendant's request, the Court will order the United States Attorney's Office to obtain Defendant's medical records from the BOP and file them under seal within fourteen (14) days of the entry of this Order. Additionally, the Court will order that FCI Elkton provide Defendant with access to his medical records to assist Defendant in his motion for compassionate release.

IT IS THEREFORE ORDERED that:

- (1) The United States Attorney's Office **SHALL** submit Defendant's medical records from the BOP under seal within fourteen (14) days of the entry of this Order; and
- (2) FCI Eklton **SHALL** provide Defendant with access to his medical records to assist Defendant in his motion for compassionate release.

SO ORDERED.

Signed: August 12, 2020

A handwritten signature in black ink, appearing to read "Kenneth D. Bell", written over a horizontal line.

Kenneth D. Bell
United States District Judge

